

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GIL CROSTHWAITE, et al.,

No. C 05-0590 MMC

Plaintiffs,

ORDER OF DISMISSAL

v.

CELIK ENGINEERING CORPORATION, et
al.,

Defendants

The parties having advised the Court that they have agreed to a settlement of the
above-titled action,

IT IS HEREBY ORDERED that said action be dismissed without prejudice; provided,
however, that if any party hereto shall certify to this Court, within ninety days, with proof of
service of a copy thereon on opposing counsel, that the agreed consideration for the
settlement has not been delivered, the foregoing order shall stand vacated and the action
shall forthwith be restored to the calendar to be set for trial.

IT IS SO ORDERED.

Dated: April 25, 2006


MAKINE M. CHESNEY
United States District Judge